

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BRENNAN M. GILMORE,)
v.)
Plaintiff,)
ALEXANDER E. (ALEX) JONES, *et al.*,)
Defendants.)

)

PROPOSED SCHEDULING ORDER

WHEREAS, the Court issued a proposed pretrial order on May 16, 2018; (D.I. 54);

WHEREAS, the Court issued on May 29, 2018 an Order granting the parties' consent Motion to Stay Discovery and Defer Entry of a Scheduling Order Pending Resolution of Defendants' Motions to Dismiss (D.I. 61);

WHEREAS, the Court set this case for jury trial on March 1-5, and March 8-10, 2021 (D.I. 186);

WHEREAS, in response to the Court's instruction on February 10, 2020, the parties have met and conferred and have agreed on a schedule to control the remainder of this action;

The parties hereby submit their respective positions for deadlines that shall control the remainder of this action:

Event	Agreed Dates
Deadline to complete fact discovery	August 31, 2020
Potential settlement / ADR discussion	September 7, 2020

Event	Agreed Dates
Fed. R. Civ. P. 26(a)(2)(B) opening expert reports	September 15, 2020
Fed. R. Civ. P. 26(a)(2)(B) responsive expert reports	October 15, 2020
Fed. R. Civ. P. 26(a)(2)(B) reply expert reports (limited to subject matter first raised in responsive reports)	November 13, 2020
Deadline to complete all discovery, including expert depositions.	November 23, 2020
Deadline to file dispositive motions	December 1, 2020
Deadline to file oppositions to dispositive motions	January 4, 2021
Deadline to file replies to dispositive motions	January 25, 2021
Deadline for hearing dispositive motions	At Court's Discretion
Exchange list of witnesses expected to be called at trial	February 8, 2021
Deadline for filing motions <i>in limine</i> (copies to opposing counsel)	February 15, 2021
Deadline for filing oppositions to motions <i>in limine</i> (copies to opposing counsel)	February 22, 2021
Deadline for filing proposed jury instructions and special interrogatories (copies to opposing counsel)	February 22, 2021

Event	Agreed Dates
<p>Deadline for filing joint pretrial order including:</p> <ul style="list-style-type: none"> • any contested issues of law that require a ruling before trial; • the essential elements that a party must prove to establish any meritorious claims remaining for adjudication, and the damages or other relief sought; • the essential elements that a party must prove to establish any meritorious defenses; • the material facts and theories of liability or defense; • the issues of fact contested by each party; • any contested issues of law that do not require a ruling before trial; • any stipulations; and • any special voir dire questions <p>**Disputed sections to be filed as separate addendum**</p>	February 22, 2021
Pretrial conference	TBD by the Court. The parties to be trial-ready by March 1, 2021
Trial	March 1-10, 2021

SO ORDERED: _____ By: _____

Dated: February 18, 2020

Respectfully Submitted,

By: /s/ Anwar L. Graves
Jonathan Hacker, admitted *pro hac vice*
Anwar Graves, admitted *pro hac vice*
O'MELVENY & MYERS LLP
1625 Eye Street, N.W.
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
agraves@omm.com
jhacker@omm.com

Hassen A. Sayeed, admitted *pro hac vice*
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, New York 10036
Telephone: (212) 326-2000
Facsimile: (212) 212 326-2061
hsayeed@omm.com

Andrew Mendrala, Virginia Bar No. 82424
COHEN MILSTEIN SELLERS & TOLL
PLLC
1100 New York Avenue N.W., Fifth Floor
Washington, D.C. 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699
amendrala@cohenmilstein.com

Aderson Francois, admitted *pro hac vice*
CIVIL RIGHTS CLINIC
GEORGETOWN UNIVERSITY LAW
CENTER
600 New Jersey Avenue, N.W.
Washington, D.C. 20001
Telephone: (202) 662-9065
Aderson.Francois@georgetown.edu

Elizabeth B. Wydra, admitted *pro hac vice*
Brianne J. Gorod, admitted *pro hac vice*
CONSTITUTIONAL ACCOUNTABILITY
CENTER
1200 18th Street, N.W., Suite 501
Washington, D.C. 20036
Telephone: (202) 296-6889
elizabeth@theusconstitution.org

brianne@theusconstitution.org

Attorneys for Plaintiff

/s/ Thomas E. Albro signed with permission by
Anwar L. Graves

Thomas E. Albro (VSB #12812)
Evan D. Mayo (VSB #89383)
TREMBLAY & SMITH, PLLC
105-109 E. High Street
Charlottesville, VA 22902
Telephone: (434) 977-4455
Facsimile: (434) 979-1221
tom.albro@tremblaysmith.com
evan.mayo@tremblaysmith.com

Elizabeth A. Scully (VSB #65920)
Mark I. Bailen (*admitted pro hac vice*)
Andrew M. Grossman (*admitted pro hac vice*)
Richard B. Raile (VSB #84340)
BAKER HOSTETLER LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5304
Telephone: (202) 861-1500
Facsimile: (202) 861-1783
escully@bakerlaw.com
mbailen@bakerlaw.com
agrossman@bakerlaw.com
rraile@bakerlaw.com

*Counsel for Defendants Alexander E. Jones,
Infowars, LLC, Free Speech Systems, LLC and
Lee Ann McAdoo a/k/a Lee Ann Fleissner*

/s/ Aaron J. Walker signed with permission by

Anwar L. Graves

Aaron J. Walker, Esq.

VA Bar #48882

DC Bar #481668

P. O. Box 3075

Manassas, VA 20108

Telephone: (703) 216-0455

Aaronjw1972@gmail.com

*Counsel For Defendants James Hoft, Scott
Creighton, Derrick Wilburn, Michele
Hickford, And Words-N-Ideas, LLC*

/s/ Lee Stranahan signed with permission by

Anwar L. Graves

Lee Stranahan

1440 G Street, N.W.

Washington, D.C. 20005

stranahan@gmail.com

Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of February, 2020, a copy of the Proposed Scheduling Order was served on all parties via the Court's Electronic Case Filing system, and separately sent via electronic mail to Mr. Lee Stranahan.

/s/ Anwar L. Graves
Anwar L. Graves